



# NEWS RELEASE

Office of the  
United States Attorney  
for the  
District of Nebraska  
**Joe W. Stecher**

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September 3, 2009

United States Attorney Joe W. Stecher and the Omaha Police Department announce the following information for the attention of the media:

**Event Triggering this Release:**

David J. Hernandez was sentenced to 235 months imprisonment by the Honorable Laurie Smith-Camp, United States District Judge, following his conviction for Conspiracy to Possess with Intent to Distribute more than 50 grams of Methamphetamine, Felon in Possession of a Firearm, and Criminal Forfeiture. Hernandez was ordered to serve 5 years of supervised release following his release from incarceration and pay a \$200 Special Assessment. Additionally, Hernandez lost any right or claim he may have had in a firearm and \$1,600 seized during the investigation.

On October 23, 2008, Omaha police officers executed a search warrant on an Omaha residence. Inside officers found 13.4 grams of methamphetamine, a quarter pound of narcotic cutting agent, a scale, drug paraphernalia, and a Thomas Center .50 caliber muzzle loader rifle. The majority of the items (including the gun) were found in a bedroom belonging to Hernandez and co-defendant Nicole Seaman. Other items indicative of drug trafficking were found in a different bedroom belonging to co-defendant Rodrik Stone. Hernandez and Seaman arrived at the residence during the search. Hernandez made an unsolicited statement that all the items in the house were his. A search of Hernandez revealed \$1,600 on his person. At the time, Hernandez had two prior drug convictions.

On November 13, 2008, Omaha police officers were conducting surveillance on Hernandez and Seaman after receiving information that the two had just purchased two pounds of MSM, a narcotic cutting agent. During the surveillance, officers observed a suspected drug transaction between Seaman and the unidentified driver of another car. After the transaction officers conducted a traffic stop of the unidentified driver and car, and located several parties within along with 7.5 grams of methamphetamine concealed within the car. One of the parties admitted the methamphetamine was his and that he had just bought it from Seaman. Thereafter, the party agreed to cooperate with law enforcement and, later that evening, purchased 12.1 grams of methamphetamine from Seaman at an Omaha location. During the transaction Seaman told the cooperating witness she received her methamphetamine from Hernandez.

Subsequently, investigators located four other cooperating witnesses who told law enforcement that they had purchased multiple ounces of methamphetamine from Seaman and Hernandez dating back to February of 2008.

**Name of Defendant:** David J. Hernandez

**AKA:**

**AGE:** 30

**Crime(s) Charged and Potential Penalty** (A CHARGE is merely an accusation and every defendant is presumed innocent until and unless proven guilty): Conspiracy to Possess with Intent to Distribute more than 50 grams of Methamphetamine, 5-40 years imprisonment, \$2,000,000 fine, 4 years supervised release, and \$100 Special Assessment. Felon in Possession of a Firearm, 0-10 years imprisonment, \$250,000 fine, 3 years supervised release, and \$100 Special Assessment. Criminal Forfeiture, loss of property and/or currency.

**Specific Location of Alleged Crime:** Omaha, Ne.

**Location of Arrest:** Omaha, Ne.

**Alleged Dollar Loss/Type and Quantity of Drug:** Over two kilograms of methamphetamine.

**Others Charged in Same Scheme:** Nicole Seaman and Rodrik Stone

**Relevant Dates:**

**Date of Alleged Crime:** February of 2008 through December of 2008

**Federal Arrest Date:** January 29, 2009

**Date Complaint Issued:** N/A

**Indictment Returned Date:** January 22, 2009

**Initial Appearance Date:** February 2, 2009

**Plea Date(s):** June 2, 2009

**Sentencing Date:** September 2, 2009

**Assigned Magistrate Judge:** F.A. Gossett

**Held without Bond, or Released from Custody:** In custody since Federal arrest.

**In Continuous Custody Since:** January 29, 2009

**Assigned District Court Judge:** Laurie Smith Camp

**Initials of Assigned AUSA/Preparer of THIS Release:** TJK